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Text Amendment Application No. 139
Boston Redevelopment Authority
Maritime Economy Reserve (MER)
District

TEXT AMENDMENT NO. 110

EFFECTIVE
August 30, 1988†

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

THE ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, after due report, notice, and hearing does hereby amend the Boston Zoning Code as follows:

1. By deleting in Section 2-1, entitled "Meaning of Certain Words and Phrases," as most recently amended by Text Amendment No. 94, the numbers "(32B)" and "(32C)" for the clauses defining "Mobile home" and "Mobile home park", respectively, and by inserting in place thereof, for the definition of "Mobile home", the number

   (32C)

   and for the definition of "Mobile home park", the number

   (32D)

2. By inserting in said Section 2-1, as most recently amended in Text Amendment No. 94, after clause (32A) the following definition:

   (32B) "Maritime-dependent industrial uses", marine terminals and related structures for the transfer between ship and shore of goods and/or passengers transported in waterborne commerce; facilities associated with marine terminals for the storage of goods transported in waterborne commerce; manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce; wharves, piers, docks, and processing and storage facilities for the commercial fishing industry; dry docks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures; and other docks, piers, wharves, berths, dolphins, or mooring facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction. MER districts contain, or are adjacent to, (a) navigable channels of 12 feet or more in depth at mean low tide; or (b) tidelands and associated lands abutting such channels that by

†Date of public notice: June 28, 1988 (see St. 1956, c. 665, s. 5).

LU6/BB/080588/1

their topography, size, and relationship to residential neighborhoods are suited for maritime-dependent industrial use. Where an area is being used or, within the five (5) years prior to the establishment of the MER district in this code, has been used for a maritime-dependent industrial use, this requirement is deemed to have been met.

3. By deleting in the first paragraph in Section 3-1, entitled "Division of City into Districts," as most recently amended by Text Amendments No. 101 and No. 102, the word "three" immediately before the phrase "classes of industrial districts" and by inserting in place thereof the following word:

   four

4. By deleting in said first paragraph of Section 3-1, after the words "M (restricted manufacturing)," the words "I (general) and W (waterfront)" and inserting in place thereof the following words:

   I (general), MER (maritime economy reserve), and W (waterfront);

5. By inserting in said Section 3-1, in subsection (c) entitled "Industrial Districts," as most recently amended by Text Amendment No. 107, between the lines "I-2 General Industrial" and "W-1 Waterfront Service", the following:

   MER-2 Maritime Economy Reserve

6. By inserting in Article 4, after Section 4-2, the following section, with the amendment number and effective date entered:

   SECTION 4-2A. Applicability of MER District Provisions. Within an MER District, the provisions of the Boston Zoning Code adopted in Text Amendment No. 110, effective August 30, 1988, do not apply to a use, building, or structure that:

   a. (i) prior to August 30, 1988, existed or was under construction on a privately-owned lot, or was under construction or was designated to be constructed on a lot owned by a public agency; (ii) was the subject of a contract, designation, or lease or other property interest that was executed, voted, or conveyed by the public agency or private owners, as the case may be, prior to August 30, 1988; and, (iii) in the case of a use, building, or structure on a lot owned by a public agency, was approved by the public agency prior to August 30, 1988; and, further,

   b. (i) does not preclude the lot on which such use, building, or structure is located from being converted to maritime-dependent industrial uses; (ii) does not deter viable economic maritime-dependent industrial uses of adjacent port lands; and (iii) devotes more than fifty percent (50%) of the area of such lot to maritime-dependent industrial uses; provided that the total lot area devoted to maritime-dependent industrial uses and water-related uses is not less than seventy-five percent (75%) of the area of such lot; and provided further, that the

remaining twenty-five percent (25%) of the total lot area shall be subject to use regulations applicable to W-2 subdistricts pursuant to Section 8-7, Table A.

7. By inserting in Section 8-7, entitled "Use Regulations," in the key to Table A, in the column entitled "Industrial", between the lines "I = General" and "W = Waterfront", the following lines:

   MER = Maritime Economy Reserve

8. By inserting, in said Table A of Section 8-7, in the column headings under "District", after "W" the following new heading:

   MER

9. By inserting in said Table A, in the column headed "MER":

   (a) for the Use Items numbered 1 through 64, 66, 67, 72A through 79, 82, 84, and 86, the letter

   F

   (b) for the Use Items numbered 65, 68, and 69, the symbol

   +

   with the following footnote:

   +A if a maritime-dependent industrial use; otherwise F.

   (c) for the Use Item numbered 70, the symbol

   *

   with the following footnote:

   *C if a maritime-dependent industrial use; otherwise F.

   (d) for the Use Item numbered 71, the letter and symbol

   C*

   (e) for the Use Items numbered 72 and 80, the symbol

   +

   with the following footnote:

   +A if accessory to a maritime-dependent industrial use; otherwise F.

   (f) for the Use Items numbered 81 and 83, the letter

   C

   (g) for the Use Item numbered 85, the letter and symbol

   A*

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http://www.archive.org/details/maritimeeconomyr00bost

9a. By inserting in said Table A of Section 8-7, after the Use Item numbered 86, the following new use item:

87 As an accessory use subject to the limitations and restrictions of Article 10, facilities for the temporary berthing on shore of personnel of vessels under repair... * * * / * * / + + A A

*Not applicable.
+A if accessory to maritime-dependent industrial use; otherwise F.

10. By deleting in Section 11-6, entitled "Signs Subject to Other Regulations," in the first sentence the words "I and W districts" and inserting in place thereof the following words:

I, MER, and W districts

11. By deleting in Section 12-2, entitled "Lots in Residential District Adjacent to Business or Industrial District," in the first sentence the words "I or W district" and inserting in place thereof the following words:

I, MER, or W district

12. By deleting in Section 12-3, entitled "Lots in Business or Industrial Districts Adjacent to Residential District," in the first and second sentences the words "I or W" and inserting in each place the following words:

I, MER, or W district

13a. By amending the Table in Section 13-1, entitled "TABLE B: DIMENSIONAL REGULATIONS," as most recently amended in Text Amendments No. 87, No. 90, and No. 94, as follows:

By inserting below the respective column headings

DISTRICT	TYPE OF USE	LOT SIZE minimum sq.ft.	LOT AREA minimum sq.ft. for each add'l dwell. unit	LOT WIDTH minimum feet	FLOOR AREA RATIO maximum (1)	HEIGHT OF BUILDINGS maximum stories	HEIGHT OF BUILDINGS maximum feet	USABLE OPEN SPACE minimum sq.ft. per dwell. unit	FRONT YARD minimum depth feet (1A)	SIDE YARD minimum width feet	REAR YARD minimum depth feet	SETBACK OF PARAPET minimum distance from lot line	REAR YARD maximum % occup. by accessory buildings

and below the two lines beginning "I-2" the following lines:

MER-2	Any dwelling	(3)	(3)	(3)	2.0	none	none	(3)	(3)	(3)	(3)	$\frac{H + L'}{6}$ for all uses	–
	Other use	none	none	none	2.0	none	none	none	none	(5)	(12)		–

13b. By inserting in Section 13-4, entitled "Dwellings in Nonresidential Districts," as most recently amended in Text Amendment No. 94, between the letter "I" and the words "or W", the following:

MER

14. By deleting in Section 19-5, entitled "Side Yards in L, B, M, I and W Districts," in the title and in the first sentence the words "I and W" and inserting in each place the following words:

    I, MER, and W

15. By deleting in Section 20-5, entitled "Rear Yards in L, B, M, I and W Districts," in the title the words "I and W" and in the first sentence the words "I or W" and inserting in place thereof, respectively, the following:

    I, MER, and W
    I, MER, or W

16. By deleting in Section 22-2, entitled "Other Districts," in the first sentence the words "I and W" and inserting in place thereof the following words:

    I, MER, and W

17. By deleting in Section 22-2A, entitled "Landscaping or Screening of Lots in M, I and W Districts that abut S, R or H Districts," in the title the words "I and W" and in the first sentence the words "I or W" and inserting in place thereof, respectively, the following words:

    I, MER, and W
    I, MER, or W

Text Amendment Application No. 139 Text Amendment No. 110

Richard E. Fowler
Chairman

Robert L. Nean
Vice Chairman

Edward J. D'Agostino

Robert Fordian

Joan M. McGrath

Joseph W. Joyce

In Zoning Commission Adopted July 20, 1988

Attest: Marguerite Hildebrand
Secretary

Mayor, City of Boston

Date: _____

The foregoing amendment was presented to the Mayor on August 12, 1988, and was not returned by him with objections thereto in writing within fifteen days thereafter. The foregoing amendment, therefore, became effective on August 30, 1988, in accordance with the provisions of Section 3 of Chapter 665 of the Acts of 1956.

Attest: Marguerite Hildebrand
Secretary